

Message

From: Hurlid, Kathy [Hurlid.Kathy@epa.gov]
Sent: 10/31/2018 6:54:26 PM
To: Kupchan, Simma [Kupchan.Simma@epa.gov]
CC: Wade, Alexis [Wade.Alexis@epa.gov]
Subject: Re: URGENT: FW: Request: One-pagers for Friday (11/2) Administrator Briefings - 401, DHC and Florida

It was more verbal or general idea that we've addressed many issues. I just gave suggestions no need to l'd them

Sent from my iPhone

On Oct 31, 2018, at 2:06 PM, Kupchan, Simma <Kupchan.Simma@epa.gov> wrote:

Thanks, Kathy! We will be discussing with David F. shortly. Are you pretty sure John wanted to bring up
Ex. 5 AC/DP and other issues? I wasn't sure if we should mention or if that's too much in the weeds.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hurlid, Kathy
Sent: Wednesday, October 31, 2018 2:02 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: Fw: URGENT: FW: Request: One-pagers for Friday (11/2) Administrator Briefings - 401, DHC and Florida
Importance: High

So, John his discussion with us this morning gave us a sense of what this meeting is and thus his thoughts on a paper (and Dave Ross's thoughts on the purpose - as much as we know). These are not in any particular order, just sharing what I was informed of. - Kathy

1) **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

2) Dave Ross wanted to be clear that EPA's efforts have been exemplary in coordinating internally and with the states and most issues have been largely addressed **Ex. 5 AC/DP**

Ex. 5 AC/DP

5) put in timeframe of where we are and likely when we may see something.

e.g.,

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Ex. 5 Deliberative Process (DP)

From: Neugeboren, Steven

Sent: Wednesday, October 31, 2018 1:08 PM

To: Goodin, John; Eisenberg, Mindy; Frazer, Brian; Sawyers, Andrew

Cc: Connors, Sandra; McDavit, Michael W.; Hurlid, Kathy; Downing, Donna; Wehling, Carrie; Maddox, Donald; Fotouhi, David; Schroer, Lee; Curtin, James; Kupchan, Simma; Wehling, Carrie; Maher, Lauren; Wade, Alexis; Hughes, Krista; Wendelowski, Karyn

Subject: RE: URGENT: FW: Request: One-pagers for Friday (11/2) Administrator Briefings - 401, DHC and Florida

I'm copying relevant OGC folks, including David Fotouhi - on the note below with important information regarding preparation of materials for two Administrator briefings apparently on (or soon to be on) the calendar for Friday- one is on 401 and DHC; the second on Florida assumption (preview - John asked if OGC could take the lead on the Florida paper - see more below - see Simma and alexis - immediate to do's here).

I just spoke with John Goodin and here is the state of play and some immediate requests for OGC.

1. Regarding the 401 and DHC briefings, OWOW is preparing a one pager on the former and OWM on the latter, which they will be sending to us today for review. OWOW/OWM please let us know when our review opportunity will take place so we can plan. My sense is these will be very high level.

* John/OWOW - the 401 paper should go to David Fotouhi, me, Lee Schroer and Jim Curtin. Jim - I assume you will be point person for OGC's review - perhaps you put on one drive but this will be a quick review.

* Andrew/OWM - the DHC paper should go to David Fotouhi, me, Lauren Maher, Carrie Wehling, Krista Hughes and Karyn Wendelowski. Lauren - assume you will lead for us.

1. On Florida assumption, John said apparently the plan was for Matt and David to lead this briefing for the Administrator (Dave will not be there perhaps) and John asked that OGC write it up. My impression is that this one pager as well should be general/factual. Simma and Alexis – can you take the lead on that for us? I'm available until 230 if we need to talk. You can coordinate at the staff level but nothing should go to OW front office until david is ok with it. And for the moment, please keep this within HQ. David – please provide any guidance you can about how this paper should be framed.

Thanks all

Steve Neugeboren

Associate General Counsel for Water

U.S. EPA

1200 Pennsylvania Ave., NW

Washington, DC 20460

202 (564-5488)

From: Goodin, John

Sent: Wednesday, October 31, 2018 12:22 PM

To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Frazer, Brian <Frazer.Brian@epa.gov>;
Sawyers, Andrew <Sawyers.Andrew@epa.gov>

Cc: Connors, Sandra <Connors.Sandra@epa.gov>; McDavit, Michael W.
<Mcdavit.Michael@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Hurlid,
Kathy <Hurlid.Kathy@epa.gov>; Downing, Donna <Downing.Donna@epa.gov>; Wehling,
Carrie <Wehling.Carrie@epa.gov>; Maddox, Donald <Maddox.Donald@epa.gov>

Subject: URGENT: FW: Request: One-pagers for Friday (11/2) Administrator Briefings

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Folks-- As just discussed with Mindy and Mike...(though note the addition of the second circuit TP for the 401 paper)

I left a voicemail with Neugeboren on coordination on the second one in particular.

Drafts to me by 5:00p.

Andrew—let's do separate one pagers for the first one.

Thanks!

John

From: Aguirre, Janita

Sent: Wednesday, October 31, 2018 12:13 PM

To: Sawyers, Andrew <Sawyers.Andrew@epa.gov<mailto:Sawyers.Andrew@epa.gov>>; Goodin, John <Goodin.John@epa.gov<mailto:Goodin.John@epa.gov>>

Cc: Farris, Erika D. <Farris.Erika@epa.gov<mailto:Farris.Erika@epa.gov>>; Reid, Darren <Reid.Darren@epa.gov<mailto:Reid.Darren@epa.gov>>; Frazer, Brian <Frazer.Brian@epa.gov<mailto:Frazer.Brian@epa.gov>>; Campbell, Ann <Campbell.Ann@epa.gov<mailto:Campbell.Ann@epa.gov>>

Subject: Request: One-pagers for Friday (11/2) Administrator Briefings

Importance: High

Andrew, John,

There are two Administrator- level briefings scheduled for this Friday. Dave has requested one-pagers for these meetings. The materials are due to us by tomorrow (11/1) at 10am, so that Anna can review and transmit to the Administrator's office. Given the timing, I'm cc'ing your special assistants and Brian Frazer.

1. Briefing: Section 401 Certification and Direct Hydrologic Connection (3:00-3:45PM, Friday, 11/2)

* Contents - **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

* Attachment - Policy

1. Briefing: Section 404 Florida Assumption (4:00-4:30PM, Friday, 11/2)

* Touch base with OGC for this status update briefing. David Fotouhi will attend.

Let me know if you have questions. You may also ask Ann Campbell while I'm away from the office this afternoon.

Thank you,

Janita

Janita Aguirre – Special Assistant

U.S. Environmental Protection Agency | Office of Water

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